



MMHR Annual Meeting

Preparing for Collective Bargaining Negotiations

How to Arrive Prepared for the Joint Labor Management Committee (JLMC) for Police and Fire

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WHAT
HAPPENS IF
WE DO NOT
REACH
RESOLUTION
AT THE TABLE
WITH
POLICE AND
FIRE?

Off to the Joint Labor Management Committee:

- JLMC Jurisdiction (filed petition and investigation to determine “apparent exhaustion of the process of collective bargaining”)
- Mediation with JLMC Senior Staff & Mediator
- Panel Mediation with Committee Members
- 3(a) Hearing
- Wages + 5 Distinct Issues
- Arbitration – Single/Tri-panel~ Binding
- Obligation to Support - Funding

THE LAW

“Created by the General Court in Chapter 730 of the Acts and Resolves of 1977, the Joint Labor-Management Committee (JLMC) began operations in January of 1978 and has, since that time, exercised broad oversight responsibility for all collective bargaining negotiations between municipal police officers or firefighters and municipalities in the Commonwealth”

“...the Committee is empowered by Chapter 589 of the Acts of 1987 to invoke various forms of arbitration.”

THE MISSION

“The purpose of the Joint Labor-Management Committee is to encourage the parties to collective bargaining disputes involving municipalities and their police officers and fire fighters to agree directly on the terms of such agreements or on a procedure to resolve these disputes....

In fulfilling it's mission the Committee relies on the unique tripartite membership drawn from the leadership of statewide police and fire fighter organizations, municipal management and public neutrals. The Committee also serves as forum for discussion of larger issues, unrelated to specific disputes, of mutual concern to municipal management, police and fire fighter organizations and the general public.”

MAKE-UP OF THE JLMC

- Consists of fourteen members appointed by the Governor
 - Chair (John Hanson) and Vice-Chair (Vacant)
 - Three fire members nominated by the Fire Union - PFFM
 - Three police members nominated by the Police Unions - IBPO, NAGE, SEIU and the MPA
 - Six management members nominated by the MMA/LGAC
- Additional alternate members as specified by fire, police and management subject to the approval of the committee

MANAGEMENT MEMBERS

*WE ARE HERE
TO HELP YOU*

- Jill Goldsmith, Chatham Town Manager - Management Chair
- Dean Mazarella, Leominster Mayor - Management Vice-Chair
- Richard Tranfaglia, Natick Director of Human Resources (Ret.)
- Kathleen Johnson, Worcester Assistant City Manager
- Lisa Yanakakis, Weston Assistant Town Manager/HR Director
- Anthony Ansaldi, Littleton Town Administrator

MANAGEMENT ALTERNATE MEMBERS

WE ARE HERETO HELP YOU

- Mary Aicardi – Watertown Personnel Director (Fmr)
- Ted Alexiades – Hingham Town Administrator (Fmr)
- David Bain – Gloucester Personnel Director (Ret)
- Diane Crimmins – Belmont Human Resources Dir (Ret)
- Frank Frederickson – Yarmouth Police Chief
- Patrice Garvin – Belmont Town Administrator
- Edward Gibson – Southampton Town Administrator
- Gerard Hayes – Brookline Personal Director (Ret)
- William Mahoney – Springfield Human Services Director
- Tony Mazzucco – Norwood General Manager
- Michael McCall – Southbridge Town Manager

THE JLMC LEADERSHIP AND STAFF

- John Hanson – Committee Chair
- Mathew Reddy – Fire Chair
- Alan Andrews – Police Chair
- Jill Goldsmith – Management Chair
- Donald Cummings - Senior Staff Representative for Labor
- Joseph E. Hubley - Senior Staff Representative for Labor
- George F. Driscoll, Jr. - Senior Staff Representative for Management
- Daniel J. Morgado - Senior Staff Representative for Management

THE JLMC PROCESS

- **Petition** - “when either party or the parties acting jointly to a municipal police and fire collective bargaining negotiations believe that the process of collective bargaining has been exhausted the party or both parties shall petition first the committee for the exercise of jurisdiction and for the **determination of the apparent exhaustion of the process of collective bargaining.**”
- **Initial Investigation to Determine Jurisdiction** – “The committee shall forthwith review the petition and shall make a determination within **thirty** days whether to exercise jurisdiction over the dispute.”
- **Mediation** – “The committee or its representatives or mediators appointed by it may meet with the parties to a dispute, conduct formal or informal conferences, and take other steps including mediation to encourage the parties to agree on the terms of a collective bargaining agreement or the procedures to resolve a dispute. The committee shall make every effort to encourage the parties to engage in good faith negotiations to reach settlement through negotiations or mediation, and may upon a vote of the committee, initiate fact finding proceedings.” **The form of the mediation can be via a single staff mediator, senior labor and management staff and/or committee level.**

THE JLMC PROCESS

- **The 3(a) Hearing** – “The committee shall have exclusive jurisdiction in matters over which it assumes jurisdiction and shall determine whether issues in negotiations have remained unresolved for an unreasonable period of time resulting in the apparent exhaustion of the processes of collective bargaining. If the committee makes such a determination it is authorized to hold a hearing...”
- **Resolution of the Collective Bargaining Negotiations** - “If the committee, after a full hearing, finds there is an apparent exhaustion of the processes of collective bargaining which constitutes a potential threat to public welfare, it shall so notify the parties of its findings. Within ten days of such notification, the committee shall also notify the parties of its intent to invoke such procedures and mechanisms as it deems appropriate for the resolution of the collective bargaining negotiations....” *Any form of Arbitration*

THE JLMC PROCESS

- The primary procedure to resolve negotiations has been the process of arbitration via tripartite panel (labor – management – neutral) on an issue by issue basis consisting of wages, duration plus no more than five (5) separate and distinct issues.

- Arbitration Decision Awards*:

FY 2021 (to date)	1
FY 2020	4
FY 2019	12
FY 2018	13
FY 2017	6
FY 2016	8
FY 2015	10
FY 2014	16

<https://www.mass.gov/service-details/jlmc-interest-arbitration-decisions>

THE JLMC PROCESS BY THE NUMBERS AS OF 12/31/2020

Year	Number of Cases Filed	Remain Open on 12/31/2019	Remain Open on 12/31/2020	Closed
2016	63	1	1	0
2017	67	2	0	2
2018	44	4	0	4
2019	55	40	8	32
2020	20		14	6
			23	44

Arbitration decisions issued– 2016 (8); 2017 (6); 2018 (13); 2019 (12); 2020 (4); 2021 - 16 cases filed to date (1)

PREPARATION FOR THE JLMC

- Need a realistic evaluation of your labor-management relationship and situation as you approach the commencement of negotiations for a successor agreement and seek parameters from elected officials prior the first session.
- Establish a strong “on the record” position. Are your proposals serious, well thought-out and fully developed? Put it on the table even if not a high priority.
- Cost it out! Do you fully understand your cost structures and what certain benefits cost and what they entail?
- What is 1% of your payroll?
- Have you costed out the Union’s proposals?
- Do you fully comprehend the ground rules you might have signed off on?
- What are your internal and external comps, patterns, and what does your own evaluation lead you to know?

PREPARATION FOR THE JLMC

- What are the trends in the current settlement environment in which you are working?
- Do recent arbitration awards impact upon your particular settlement environment (awards posted on JLMC website)?
- What does a successful result look like for you?
- Be diligent in your pursuit of a settlement.
- Understand what your risks are should a dispute lead to an arbitration.

WORKING WITH SENIOR STAFF AND YOUR MANAGEMENT MEMBER

- The purpose of senior staff and committee members is to:
 - Help you gain the best possible result
 - Help to work to a voluntary settlement between the parties
 - Provide information on current trends, settlements and awards
- The more attention, effort and diligence you give to the mediation process and your Committee Rep., the better the result. They will also serve on the Arbitration panel along with the Labor Committee Rep. and Neutral
- Chairman Hanson's directive is for the mediators, senior staff and committee members to push the mediation process as hard as possible to avoid Arbitration
- Arbitration is considered a failure of the process. Likely result is equal level of dissatisfaction

JOIN OUR
TEAM

THANK YOU!

JLMC Management Committee Members are **volunteers** and we are looking to recruit additional membership –
Mayors (Current/Retired)-City or Town
Managers/Administrators-Assistant Town Managers -
Human Resources Directors

For more information, please contact Jill Goldsmith,
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<https://www.mass.gov/joint-labor-management-committee-jlmc>